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Elaine C. Stracker

PATEN

Attorney's Docket No.: 00025.03CON

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Rabinowitz et al.

Serial No.:

10/735,497

Filed:

12/12/2003

Title

DELIVERY OF ANALGESICS THROUGH AN INHALATION ROUTE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# INFORMATION DISCLOSURE STATEMENT

### Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ §1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

b ...

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines than an extension and/or other relief is required, Applicants petition for any required relief including any extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 502731**. Please direct all correspondence to the following customer number.

Respectfully submitted,

Date: SEP. 2 4 2004

Elaine C. Stracker J.D., Ph.D., Reg. 43,166

Alexza Molecular Delivery Corporation 1001 East Meadow Circle Palo Alto, CA 94303

TEL: (650) 687-3905 FAX: (650) 687-3999

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|---|--|--|---|--|--|
|   |  | Application Number   | 10/735,497  |  |  |
| TRANSMITTA  | <b>\L</b>  | Filing Date  | 12/12/2003  |  |  |
| FORM  |  | First Named Inventor   | Joshua D. Rabinowitz  |  |  |
| (to be used for all correspondence after in   | nitial filing)   | Art Unit   | Not yet known   |  |  |
|   |  | Examiner Name  | To be assigned  |  |  |
| Total Number of Pages in This Submission  |  | Attorney Docket Number   | 00025.03CON   |  |  |
|   | ENCLOS   | URES (check all that apply)  |   |  |  |
| Response to Missing Parts   | Petition Petition to Provision Power of Change | o Convert a nal Application Attorney, Revocation of Correspondence  Disclaimer  for Refund  mber of CD(s)  ement (2 pp.) pies , 8 pages each) erences, / 7 5 | After Allowance communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): |  |  |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm or Individual name  ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C Stracker, Ph.D., J.D. Telephone (650)-687-3905  Signature  SEP. 2 4 2004 |  |  |   |  |  |
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SEP 2 4 2004 This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Elaine C. Stracker

Signature

Sheet 1 of 8

Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00025.03CON

Application Number: 10/735,497

Applicant:

Joshua D. RABINOWITZ et al.

Filing Date: 12/12/2003

Group Art Unit:

Not Yet Known

# U.S. PATENT DOCUMENTS

| Examiner<br>Initials                  | Ref.<br>No. | Date       | Document No. | Name                 | Clas<br>s | Subclass | Filing Date If<br>Appropriate |
|---------------------------------------|-------------|------------|--------------|----------------------|-----------|----------|-------------------------------|
|                                       | 1.          | 01/05/1965 | 3,164,600    | Janssen et al.       |           |          |                               |
|                                       | 2.          | 03/18/1969 | 3,433,791    | Bentley et al.       |           |          |                               |
| -····                                 | 3.          | 02/02/1971 | 3,560,607    | Hartley et al.       |           |          |                               |
|                                       | 4.          | 05/27/1980 | Re. 30,285   | Babington            |           |          |                               |
| •                                     | 5.          | 01/23/1990 | 4,895,719    | Radhakrishnun et al. |           |          |                               |
| · · · · · · · · · · · · · · · · · · · | 6.          | 09/17/1991 | 5,049,389    | Radhakrishnun        |           |          |                               |
| •                                     | 7.          | 02/14/1995 | 5,388,574    | Ingebrethsen         |           |          |                               |
|                                       | 8.          | 08/13/1996 | 5,544,646    | Lloyd et al.         |           |          |                               |
|                                       | 9.          | 12/09/1997 | 5,694,919    | Rubsamen et al.      |           |          |                               |
|                                       | 10.         | 03/10/1998 | 5,724,957    | Rubsamen et al.      |           |          |                               |
|                                       | 11.         | 04/07/1998 | 5,735,263    | Rubsamen et al.      |           |          |                               |
|                                       | 12.         | 04/14/1998 | 5,738,865    | Baichwal et al.      |           |          |                               |
|                                       | 13.         | 06/02/1998 | 5,758,637    | Ivri et al.          |           |          |                               |
|                                       | 14.         | 06/29/1999 | 5,915,378    | Lloyd et al.         |           |          |                               |
|                                       | 15.         | 08/10/1999 | 5,934,272    | Lloyd et al.         |           |          |                               |
|                                       | 16.         | 09/28/1999 | 5,957,124    | Lloyd et al.         |           |          |                               |
|                                       | 17.         | 10/05/1999 | 5,960,792    | Lloyd et al.         |           |          |                               |
|                                       | 18.         | 11/30/1999 | 5,993,805    | Sutton et al.        |           |          |                               |
|                                       | 19.         | 03/28/2000 | 6,041,777    | Faithfull et al.     |           | ,        |                               |
|                                       | 20.         | 04/18/2000 | 6,051,566    | Bianco               |           |          |                               |
|                                       | 21.         | 08/01/2000 | 6,095,134    | Sievers et al.       |           |          |                               |
|                                       | 22.         | 08/01/2000 | 6,095,153    | Kessler et al.       |           |          |                               |
|                                       | 23.         | 08/15/2000 | 6,102,036    | Slutsky et al.       |           |          |                               |
|                                       | 24.         | 10/17/2000 | 6,133,327    | Kimura et al.        |           |          |                               |
|                                       | 25.         | 06/05/2001 | 6,241,969    | Saidi et al.         |           |          |                               |
|                                       | 26.         | 07/03/2001 | 6,255,334    | Sands                |           |          |                               |
|                                       | 27.         | 10/23/2001 | 6,306,431    | Zhang et al.         |           |          |                               |

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Sheet 2 of 8

Application Number: 10/735,497 Docket Number: 00025:03CON Form PTO-1449 Joshua D. RABINOWITZ et al. INFORMATION DISCLOSURE CITATION Applicant: IN AN APPLICATION (Use several sheets if necessary) Filing Date: 12/12/2003 Group Art Unit: Not Yet Known 6,376,550 Raber et al. 28. 04/23/2002 29. 01/14/2003 6,506,762 Horvath et al. 30. 02/04/2003 6,514,482 Bartus et al. 31. 07/15/2003 6,591,839 Meyer et al. 32. 09/06/2001 US 2001/0020147 Staniforth et al. US 2002/0037828 Wilson et al. 33. 03/28/2002 Bartus et al. 34. 05/16/2002 US 2002/0058009 07/04/2002 US 2002/0086852 Cantor 35. Schuster et al. US 2002/0112723 36. 08/22/2002 37. 11/28/2002 US 2002/0176841 Barker et al. US 2003/0004142 Prior et al. 38. 01/02/2003 Kim et al. 39. 02/13/2003 US 2003/0032638 RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS 10/633,876 Hale et al. 08/04/2003 Hale et al. 08/04/2003 10/633,877 41. 10/749,537 Rabinowitz et al. 42. | 12/30/2003 Rabinowitz et al. 43. 12/30/2003 10/749,539 01/27/2004 10/766,149 Rabinowitz et al. 44. 01/27/2004 10/766,279 Rabinowitz et al. 45. 01/27/2004 10/766,566 Rabinowitz et al. 46. 47. 01/27/2004 10/766,574 Rabinowitz et al. 01/27/2004 10/766,634 Rabinowitz et al. 48. 49. 01/27/2004 10/766,647 Rabinowitz et al. 10/767,115 Rabinowitz et al. 50. 01/28/2004 10/768,205 Rabinowitz et al. 51. 01/29/2004 01/29/2004 52. 10/768,220 Rabinowitz et al. Rabinowitz et al. 01/29/2004 10/768,281 53. Rabinowitz et al. 54. 01/29/2004 10/768,293 . 55. 01/30/2004 10/769,046 Rabinowitz et al. DATE CONSIDERED: **EXAMINER:** EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in

conformance and not considered. Include a copy of this form with next communication to applicant.

Sheet 3 of 8

#### Docket Number: 00025.03CON Application Number: 10/735,497 Form PTO-1449 Joshua D. RABINOWITZ et al. INFORMATION DISCLOSURE CITATION Applicant: IN AN APPLICATION Filing Date: 12/12/2003 Group Art Unit: Not Yet Known (Use several sheets if necessary) Rabinowitz et al. 01/30/2004 10/769,051 56. 57. 01/29/2004 10/769,157 Rabinowitz et al. 10/769,197 Rabinowitz et al. 58. 01/29/2004 02/09/2004 10/775,583 Rabinowitz et al. 59. 10/775,586 Rabinowitz et al. 60. 02/09/2004 03/03/2004 10/791,915 Hale et al. 61. Rabinowitz et al. 03/03/2004 10/792,001 62. Hale et al. 03/03/2004 10/792,012 63. Rabinowitz et al. 10/792,013 03/03/2004 64. 10/792,096 Hale et al. 65. 03/03/2004 10/792,239 Hale et al. 03/03/2004 66. Rabinowitz et al. 10/813,721 67. 03/31/2004 10/813,722 Rabinowitz et al. 03/31/2004 68. Rabinowitz et al. 03/31/2004 10/814,690 69. 10/814,998 Rabinowitz et al. 70. 03/31/2004 Rabinowitz et al. 10/815,527 71. 04/01/2004 Rabinowitz et al. 72. 04/01/2004 10/816,407 Rabinowitz et al. 10/816,492 73. 04/01/2004 Rabinowitz et al. 74. 04/01/2004 10/816,567 Hale et al. 10/912,462 08/04/2004 75. Hodges et al. 76. 01/23/2003 US 2003/0015196 US 2003/0062042 Wensley et al. 77. 04/03/2003 Hale et al. US 2003/0209240 78. 11/13/2003 US 2003/0000518 Rabinowitz et al. 79. 01/02/2003 Rabinowitz et al. 80. 01/09/2003 US 2003/0005924

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DATE CONSIDERED:

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Hale et al.

Rabinowitz et al.

Rabinowitz et al.

Rabinowitz et al.

Rabinowitz et al.

US 2003/0005925

US 2003/0007933

US 2003/0007934

US 2003/0012737

US 2003/0012738

PTO/SB/ 08 (2-92)

Sheet 4 of 8

#### Application Number: 10/735,497 Docket Number: 00025.03CON Form PTO-1449 Applicant: Joshua D. RABINOWITZ et al. INFORMATION DISCLOSURE CITATION IN AN APPLICATION Filing Date: 12/12/2003 Not Yet Known (Use several sheets if necessary) Group Art Unit: US 2003/0012740 Rabinowitz et al. 86. 1/16/2003 Rabinowitz et al. 87. 01/23/2003 US 2003/0015189 Rabinowitz et al. 01/23/2003 US 2003/0015190 88. 89. 01/23/2003 US 2003/0017114 Rabinowitz et al. 90. 01/23/2003 US 2003/0017115 Rabinowitz et al. 91. 01/23/2003 US 2003/0017116 Rabinowitz et al. 92. US 2003/0017117 Rabinowitz et al. 01/23/2003 93. 01/23/2003 US 2003/0017118 Rabinowitz et al. 94. 01/23/2003 US 2003/0017119 Rabinowitz et al. US 2003/0017120 Rabinowitz et al. 95. 01/23/2003 96. 1/30/2003 US 2003/0021753 Rabinowitz et al. US 2003/0021754 Rabinowitz et al. 97. 01/30/2003 US 2003/0021755 98. 01/30/2003 Hale et al. 99. 02/20/2003 US 2003/0035776 Hodges et al. Rabinowitz et al. 100. 05/15/2003 US 2003/0091511 Hale et al. 101. 05/27/2004 US 2004/010148 US 2003/0138382 Rabinowitz 102. 07/31/2003 US 2003/0206869 Rabinowitz et al. 103. 11/06/2003 104. 01/15/2004 US 2004/0009128 Rabinowitz et al. 105. 05/20/2004 US 2004/0096402 Hodges et al. US 2004/0099269 Hale et al. 106. 05/27/2004 107. 06/03/2004 US 2004/0105818 Hale et al. 06/03/2004 US 2004/0105819 Hale et al. 108. 109. 07/01/2004 US 2004/0126326 Rabinowitz et al. 07/01/2004 110. US 2004/0126327 Rabinowitz et al. 111. 07/01/2004 US 2004/0126328 Rabinowitz et al. 112. 07/01/2004 US 2004/0127481 Rabinowitz et al. 113. 07/01/2004 US 2004/0127490 Rabinowitz et al. 114. 08/12/2004 US 2004/0156788 Rabinowitz et al. 115. 08/12/2004 US 2004/0156789 Rabinowitz et al. DATE CONSIDERED: **EXAMINER:**

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conformance and not considered. Include a copy of this form with next communication to applicant.

PTO/SB/ 08 (2-92)

Sheet 5 of 8

# Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00025.03CON Application Number: 10/735,497

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 12/12/2003 Group Art Unit: Not Yet Known

|   |      |            |                 |                   |  | <br>    |
|---|------|------------|-----------------|-------------------|--|---------|
|   | 116. | 8/12/2004  | US 2004/0156790 | Rabinowitz et al. |  | $\prod$ |
|   | 117. | 08/12/2004 | US 2004/0156791 | Rabinowitz et al. |  | m I     |
| Ц | 117. | 08/12/2004 | 08 2004/0136791 | Rabinowitz et al. |  |         |

# FOREIGN PATENT DOCUMENTS

| Examiner Initials | Ref.<br>No. | Date       | Document No. | Country | Class | Subclass | Translation<br>YES NO |
|-------------------|-------------|------------|--------------|---------|-------|----------|-----------------------|
|                   | 118.        | 03/14/1990 | EP 0 358 114 | Europe  |       |          |                       |
|                   | 119.        | 02/06/2000 | EP 1 177 793 | Europe  |       |          |                       |
|                   | 120.        | 07/03/2001 | EP 1 080 720 | Europe  |       | ,        | •                     |
|                   | 121.        | 08/29/2001 | EP 0 606 486 | Europe  |       |          |                       |
|                   | 1           | Γ          | <u></u>      |         |       |          |                       |
|                   | 122.        | 06/13/1991 | WO 91/07947  | WIPO    |       |          |                       |
|                   | 123.        | 04/16/1992 | WO 92/05781  | WIPO    |       |          |                       |
| •                 | 124.        | 04/11/1996 | WO 96/09846  | WIPO    |       |          |                       |
|                   | 125.        | 05/09/1996 | WO 96/13161  | WIPO    |       |          |                       |
|                   | 126.        | 05/09/1996 | WO 96/13290  | WIPO    |       |          |                       |
|                   | 127.        | 05/09/1996 | WO 96/13291  | WIPO    |       |          |                       |
|                   | 128.        | 05/09/1996 | WO 96/13292  | WIPO    |       |          |                       |
|                   | 129.        | 10/03/1996 | WO 96/30068  | WIPO    |       |          |                       |
|                   | 130.        | 05/22/1997 | WO 97/17948  | WIPO    |       |          |                       |
|                   | 131.        | 08/07/1997 | WO 97/27804  | WIPO    | -     |          |                       |
|                   | 132.        | 05/28/1998 | WO 98/22170  | WIPO    |       |          |                       |
|                   | 133.        | 07/23/1998 | WO 98/31346  | WIPO    |       |          |                       |
|                   | 134.        | 08/27/1998 | WO 98/36651  | WIPO    |       |          |                       |
|                   | 135.        | 04/08/1999 | WO 99/16419  | WIPO    |       |          |                       |
|                   | 136.        | 12/16/1999 | WO 99/64094  | WIPO    |       |          |                       |
|                   | 137.        | 01/06/2000 | WO 00/00176  | WIPO    |       |          |                       |
|                   | 138.        | 01/06/2000 | WO 00/00215  | WIPO    |       |          |                       |

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PTO/SB/ 08 (2-92)

#### Application Number: 10/735,497 Docket Number: 00025.03CON Form PTO-1449 Joshua D. RABINOWITZ et al. INFORMATION DISCLOSURE CITATION Applicant: IN AN APPLICATION Filing Date: 12/12/2003 (Use several sheets if necessary) Group Art Unit: Not Yet Known 139. 05/18/2000 WO 00/27363 WIPO 140. 05/25/2000 WO 00/29053 WIPO 141. 09/17/2000 WO 00/47203 **WIPO** 142. 11/02/2000 WO 00/64940 **WIPO** 143. 11/09/2000 WO 00/66084 **WIPO WIPO** 144. 11/09/2000 WO 00/66206 145. 12/07/2000 WO 00/72827 **WIPO** WO 00/76673 **WIPO** 146. 12/21/2000 WO 01/05459 **WIPO** 147. 01/25/2001 148. 03/01/2001 WO 01/13957 **WIPO** 149. 03/15/2001 WO 01/17568 **WIPO** 03/28/2002 WO 02/24158 **WIPO** 150. OTHER DOCUMENTS (including author, title, Date, Pertinent Pages, Etc.) Ref. Title Examiner Initials No. Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain 151. Relief," Annual Surg. 195(6):700-705. Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological 152. effects," Psychopharmacology (Berl). 102:443-450. 153. Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," Z. Erkrank. 166:13-24. 154. Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," American Physiological Society, 966-974. Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," Journal of Applied Physiology. 155. 32(5):591-600. 156. Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," Anesthesiology. 93(3): 619-628. Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San 157. Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii. DATE CONSIDERED: **EXAMINER:** EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

| Form PTO-1449 |   | Docket Number: 00025.03CON Application Number: 10/735,497  |                                    |  |  |  |
|---------------|---|--|------------------------------------|--|--|--|
|               | ON DISCLOSURE CITATION AN APPLICATION   | Applicant: Joshua D. RABINOWITZ et al.   |                                    |  |  |  |
| a             | lse several sheets if necessary)  | Filing Date: 12/12/2003  | Group Art Unit: Not Yet Known      |  |  |  |
| •             | ·   |  |                                    |  |  |  |
|               |   |  |                                    |  |  |  |
| 158.          | Gonda, I. (1991). "Particle Deposition Scientific Foundations. Crystal R.G. a 2294.   |  |                                    |  |  |  |
| 159.          | Hatsukami D, et al. (May 1990) "A m humans." Pharmacology Biochemistry  | method for delivery of precise doses of smoked cocaine-base to try & Behavior. 36(1):1-7.                                      |                                    |  |  |  |
| 160.          | Heyder, J. et al. (1986). "Deposition o 0.005-15 μm," J. Aerosol Sci. 17(5):8   |  | tory Tract in the Size Range       |  |  |  |
| 161.          | Huizer, H., "Analytical studies on illic<br>Pharmaceutisch Weekblad Scientific I  |  | ation during heroin smoking."      |  |  |  |
| 162.          |   | L., PhD, (October 1998). "Prying Open the Door to the Tobacco<br>The Minnesota Tobacco Trial," JAMA 280(13):1173-1181.         |                                    |  |  |  |
| . 163.        |   | ation Exposure to Volatilized Opioids Produces Antinociception and Experimental Therapeutics. 279(1):69-76.                    |                                    |  |  |  |
| 164.          | Martin, B.R. and Lue, L.P. (May/June Analytical Toxicology 13:158-162.  | ne 1989). "Pyrolysis and Volatilization of Cocaine," Journal of  |                                    |  |  |  |
| 165.          | Mattox, A.J. and Carroll, M.E., (1996) Psychopharmacology, 125:195-201.   | 96). "Smoked heroin self-administration in rhesus monkeys,"  |                                    |  |  |  |
| 166.          | Meng, Y. et al. "Inhalation Studies W<br>173:201-224.   | With Drugs of Abuse, "NIDA Research Monograph, (1997)  |                                    |  |  |  |
| 167.          | Meng, Y., et al. (1999). "Pharmacolog inhalation exposure," Drug and Alcoh  | ogical effects of methamphetamine and other stimulants via whol Dependence. 53:111-120.  |                                    |  |  |  |
| 168.          | Office Action mailed 8/13/2003 for U<br>BENZODIAZEPINES THROUGH A   | US application 10/153,313 filed 05/21/2002 "DELIVERY OF AN INHALATION ROUTE"   |                                    |  |  |  |
| 169.          | 1 ' ' ' '   | ion of Nicotine in Tobacco Smoke to Its Volatile and Available of Gaseous Ammonia," <i>Envron. Sci. Technol.</i> 31:2428-2433. |                                    |  |  |  |
| 170.          | Pankow, J. (March 2000). ACS Confe pp. 1-8.   | ference-San Francisco-3/26/00. Chemistry of Tobacco Smoke.   |                                    |  |  |  |
| 171.          |   | of Nicotine in Tobacco. Thermal Transfer of Nicotine and e Gas Phase, "J. Agric. Food Chem. 47(12):5133-5145.                  |                                    |  |  |  |
| 172.          | 172. Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280. |  |                                    |  |  |  |
| 173.          | Vapotronics, Inc. (1998) located at htt June 5, 2000).  | p://www.vapotronics.com.au/bar   | nner.htm., 11 pages, (visited on   |  |  |  |
|               |   |  |                                    |  |  |  |
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PTO/SB/08 (2-92) Sheet 8 of 8

Application Number: 10/735,497 Docket Number: 00025.03CON Form PTO-1449 Joshua D. RABINOWITZ et al. INFORMATION DISCLOSURE CITATION Applicant: IN AN APPLICATION (Use several sheets if necessary) Filing Date: 12/12/2003 Group Art Unit: Not Yet Known Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary 174. Administration from a Novel Aerosol Delivery System," Clinical Pharmacology & Therapeutics 62(6):596-609. Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its 175. Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." Pharmacology Biochemistry & Behavior. 55(2):237-248. DATE CONSIDERED: **EXAMINER:** EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

PTO/SB/ 08 (2-92)